IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

Blue Spike, LLC,	§ § §	**Case No. 6:12-cv-00499-MHS**
Plaintiff,	§ §	**LEAD CASE**
v.	§ §	**Jury Trial Demanded**
Texas Instruments, Inc., et al.,	§ §	
Defendants.	§ § §	
Blue Spike, LLC,	§ §	**Case No. 6:12-cv-00568-MHS**
Plaintiff,	§ §	**CONSOLIDATED CASE**
v.	§ § §	**Jury Trial Demanded**
Zeitera, LLC, et al.,	§ §	
Defendants.	§ § § §	

DECLARATION OF ASLAM KHADER IN SUPPORT OF
DEFENDANT ENSEQUENCE, INC.'S SUR-REPLY IN OPPOSITION TO
BLUE SPIKE, LLC'S MOTION TO AUTHORIZE JURISDICTIONAL DISCOVERY

I, Aslam Khader, declare that:

1.   I am Chief Technology and Product Officer of Ensequence, Inc. ("Ensequence"),

and I make this declaration for and on behalf of Ensequence in the matter referenced above and

in support of Ensequence's Sur-Reply in Opposition to Blue Spike, LLC's Motion to Authorize

Jurisdictional Discovery. I have personal knowledge of the matters contained herein.

2.   Ensequence is an interactive TV company that enables programmers, service

providers, and advertisers to increase program ratings, advertising effectiveness and merchandise

DECLARATION OF ASLAM KHADER IN SUPPORT OF
DEFENDANT ENSEQUENCE, INC.'S SUR-REPLY

sales by making their shows and commercials more powerful and engaging using interactive technology. The Ensequence iTV Manager® interactive platform solves the technical complexities associated with creating and deploying a high volume of uniquely branded interactive television experiences across cable, satellite, telco and connected devices.

3.   Ensequence has not made, used, imported, sold or offered to sell in Texas any Ensequence product that uses Civolution's automatic content recognition software or fingerprint technology.

4.   In 2011, Ensequence considered the possibility of developing a product based on Civolution's automatic content recognition technology, but there was no demand for such a product. Ensequence never finalized, developed, sold, or offered to sell an integrated Civolution/Ensequence product to any customers, in Texas or elsewhere. Ensequence elected to stop its internal development of any product based on Civolution's automatic content recognition software or fingerprint technology, and is not offering such a product to its customers, in Texas or elsewhere.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

DATED this 8th day of April, 2013.

/s/ Aslam Khader
Aslam Khader

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DEFENDANT ENSEQUENCE, INC.'S SUR-REPLY

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have

consented to electronic service are being served with a copy of this document via the Court's

CM/ECF system per Local Rule CV-5(a)(3) on April 8, 2013.

/s/ Douglas L. Sawyer
Douglas L. Sawyer